

105TH CONGRESS
1ST SESSION

H. R. 1977

To amend the Federal Food, Drug, and Cosmetic Act to require disclosures
in alcohol advertising.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 1997

Mr. KENNEDY of Massachusetts introduced the following bill; which was
referred to the Committee on Commerce

A BILL

To amend the Federal Food, Drug, and Cosmetic Act to
require disclosures in alcohol advertising.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Truth in Alcohol Bev-
5 erage Labeling Act”.

6 **SEC. 2. LABELING.**

7 Section 403 of the Federal Food, Drug, and Cosmetic
8 Act (21 U.S.C. 343) is amended by adding at the end the
9 following:

1 “(t)(1) If it is a malt beverage (including malt liquor
2 or malt cooler), wine (including wine cooler or fortified
3 wine), or distilled spirit (including distilled spirit cooler)
4 unless it bears a label which—

5 “(A) discloses in a non promotional manner the
6 alcoholic content by volume,

7 “(B) discloses the number of drinks it contains
8 rounded to the nearest quarter drink,

9 “(C) discloses its ingredients and calories per
10 container and per drink,

11 “(D) discloses the common or usual name of
12 each ingredient (including additives), and

13 “(E) bears the following statement: ‘If you or
14 someone you know has a drinking problem, a call
15 may be made to (reference to a toll-free number es-
16 tablished and operated by the Secretary) for help’.

17 “(2) For purposes of paragraph (1):

18 “(A) The term ‘malt beverage’ means a bev-
19 erage made by the alcoholic fermentation of an infu-
20 sion or decoction, or combination of both, in potable
21 brewing water of malted barley with hops, or their
22 parts or products, with or without other malted cere-
23 als, with or without the addition of unmalted or pre-
24 pared cereals, other carbohydrates, or materials pre-
25 pared, with or without the addition of carbon diox-

1 ide, and with or without other wholesome products
2 suitable for human food consumption.

3 “(B) The term ‘wine’ means wine as defined in
4 sections 610 and 617 of the Revenue Act of 1918
5 and other alcoholic beverages made in the manner of
6 wine, including sparkling and carbonated wine, wine
7 made from condensed grape must, wine made from
8 other agricultural products than the juice of sound,
9 ripe grapes, imitation wine, wine compounds sold as
10 wine, vermouth, cider, perry, and sake if it contains
11 not less than 7 percent and not more than 24 per-
12 cent of alcohol by volume and if for nonindustrial
13 use.

14 “(C) The term ‘distilled spirit’ means ethyl al-
15 cohol, hydrated oxide of ethyl, spirits of wine, whis-
16 ky, rum, brandy, gin, and other distilled spirits, in-
17 cluding all dilutions and mixtures thereof for non-
18 industrial use. Such term does not include mixtures
19 containing wine, bottled at 48 degrees of proof or
20 less if the mixture contains more than 50 percent
21 wine on a proof gallon basis.

22 “(D) The term ‘drink’ is a serving of a malt
23 beverage, wine, or distilled spirit which contains .6
24 ounces of alcohol by volume.

1 “(3) The Secretary shall by regulation require that
 2 the information required on a container of a malt bev-
 3 erage, wine, or distilled spirit label by subparagraph (1)—

4 “(A) be located in a conspicuous place on such
 5 label,

6 “(B) appear in conspicuous and legible type
 7 which is in contrast by typography, layout, and color
 8 with other printed matter and which is of a size no
 9 less than one-sixteenth of an inch in height,

10 “(C) be displayed horizontally,

11 “(D) be easily legible when the container is held
 12 in the usual way, and

13 “(E) be offset by borders.”.

14 **SEC. 3. AUTHORIZATION.**

15 There is authorized to be appropriated to the Sec-
 16 retary \$500,000 for fiscal year 1996 and each succeeding
 17 fiscal year to establish and operate the toll-free number
 18 referred to in section 403(t)(1)(E) of the Federal Food,
 19 Drug, and Cosmetic Act (as added by section 1).

20 **SEC. 4. REPORT.**

21 The report required by section 206 of the Alcoholic
 22 Beverage Labeling Act of 1988 shall be filed within 3
 23 months of the date of the enactment of this Act.

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